

58

# 563058

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**WARRIOR SPORTS, INC.**, a Michigan Corporation,

Plaintiff,

v.

**WARRIOR WEAR, INC.**, a California corporation, **NATHAN WELTER**, an individual, and **FIGHTSHOP, INC.**, a California corporation,

Defendants.

Case: 2:07-cv-14404  
Assigned To: Roberts, Victoria A  
Referral Judge: Whalen, R. Steven  
Filed: 10-16-2007 At 02:37 PM  
CMP WARRIOR SPORTS INC V WORRIER WEAR  
INC, ET AL (EW)

John S. Artz (P 48578)  
John P. Seurnck (P 54146)  
DICKINSON WRIGHT PLLC  
Attorneys for Plaintiff  
38525 Woodward Avenue, Suite 2000  
Bloomfield Hills, MI 48304-5092  
(248) 433-7200

**COMPLAINT AND JURY DEMAND**

Plaintiff, Warrior Sports, Inc. ("Warrior"), by and through its attorneys, Dickinson Wright PLLC , states as follows for its Complaint:

**THE PARTIES**

1. Plaintiff, Warrior Sports, Inc. ("Warrior"), is a Michigan corporation with its principal place of business at 32125 Hollingsworth Avenue, Warren, Michigan 48092. Warrior is doing business in this State and in this District.

2. Upon information and belief, Defendant, Warrior Wear, Inc. ("Warrior Wear"), is a California corporation with its principal place of business at 5532 E. La Palma Ave., Anaheim, CA 92807. Defendant Warrior Wear is doing business in this State and in this District.

3. Upon information and belief, Defendant Nathan Welter ("Welter") is the owner of Warrior Wear and also has an address of 5532 E. La Palma Ave., Anaheim, CA 92807. Defendant Welter is doing business in this State and in this District.

4. Upon information and belief, Defendant, Fightshop, Inc. ("Fightshop"), is a California corporation with its principal place of business at 144 W. Brigham Rd. Suite 5, St. George, Utah 84790. Defendant Fightshop is doing business in this State and in this District.

**JURISDICTION AND VENUE**

5. This is an action for trademark infringement and unfair competition. This action arises under the Lanham Act, 15 U.S.C. § 1051 *et seq.*, and includes substantial and related claims under state law arising from the same operative facts.

6. This Court has jurisdiction pursuant to 15 U.S.C. §1121 and 28 U.S.C. §§ 1331, 1338 and 1367.

7. Venue is proper in this District pursuant to 28 U.S.C. § 1391 because the events giving rise to the claim occurred in this District and because Defendants reside in this District as that term is defined in the venue statutes.

**PLAINTIFF'S TRADEMARKS**

8. Warrior is a leading developer, manufacturer, and supplier of lacrosse equipment, including lacrosse sticks, lacrosse heads, protective equipment and other lacrosse equipment.

9. Warrior began using the mark "WARRIOR" in connection with lacrosse equipment at least as early as 1992.

10. Warrior also began using the mark "WARRIOR" in connection with clothing, including tee shirts, sweatshirts, shorts, moisture management garments, namely short sleeve shirts, long sleeve shirts, mock turtlenecks, sleeveless shirts, and shorts, as well as hats and footwear at least as early as 1993.

11. Moreover, Warrior began using the mark "WARRIOR" in connection with hockey equipment, including hockey sticks, hockey handles, protective hockey equipment and other hockey equipment at least as early as 2005.

12. Warrior also uses and has used the mark "WARRIOR" in connection with a variety of other sports related equipment and sports related activities since its inception in 1992.

13. Since at least as early as 1993, Warrior's predominant use of the "WARRIOR" mark has been in a unique and distinctive font.

14. Warrior owns a variety of Federal Trademark Registrations for the mark "WARRIOR" as well a variety of Applications for Federal Trademark Registration for the mark "WARRIOR" as both a word mark and as part of a design.

15. Warrior owns a Federal Trademark Registration No. 2,274,667 for the "WARRIOR" mark for use in connection with lacrosse equipment. (Copy attached as Exhibit A.)

16. Warrior owns an Application for Federal Trademark Registration (Serial No. 77/123,386) for the "WARRIOR" mark for use in connection with clothing. (Copy attached as Exhibit B.)

17. Warrior owns an Application for Federal Trademark Registration (Serial No. 77/137,728) for the "WARRIOR" mark for use in connection with hockey equipment. (Copy attached as Exhibit C.)

18. Warrior owns an Application for Federal Trademark Registration (Serial No. 78/486,173) for the mark "WARRIOR" and design for use in connection with clothing. (Copy attached as Exhibit D.) This Application has been allowed by the Trademark Office.

19. Warrior owns another Application for Federal Trademark Registration (Serial No. 78/486,210) for the mark "WARRIOR" and design for use in connection with clothing. (Copy attached as Exhibit E.) This Application has been allowed by the Trademark Office.

20. Warrior owns an Application for Federal Trademark Registration (Serial No. 77/137,982) for the mark "WARRIOR" and design for use in connection with hockey equipment. (Copy attached as Exhibit F.)

21. Warrior owns other Federal Trademark Registrations for the mark "WARRIOR", namely Registration Nos. 2,895,312 and 3,282,946. (Copies attached as Exhibits G and H, respectively.)

22. Warrior additionally owns other Applications for Federal Trademark Registration for the marks "WARRIOR" (Serial No. 78/644,056); "W WARRIOR" & Design (Serial No. 78/486,191); "WARRIOR" & Design (Serial No. 78/419,040); "WARRIOR" & Design (Serial No. 78/419,115). These Applications have all been allowed by the Trademark Office and are attached as Exhibits I, J, K, and L respectively.

23. The marks in the above identified Federal Registrations and Applications for Federal Registration are referred to herein as the "WARRIOR" marks.

24. Since its inception in 1992, Warrior and its sales of products under the "WARRIOR" marks have increased exponentially.

25. Warrior has invested a substantial amount of money in advertising and promoting its "WARRIOR" marks and products throughout the United States.

26. Warrior produces and publishes catalogs each year that prominently display the "WARRIOR" marks.

27. In about 2003, Warrior was acquired by New Balance Corp., of Boston, Massachusetts.

28. Warrior is a principal sponsor of lacrosse's primary professional lacrosse league, Major League Lacrosse.

29. All the players in the league utilize lacrosse equipment sold by Warrior under one or more of the "WARRIOR" marks.

30. Warrior also provides hockey equipment to over one hundred players in the National Hockey League that bears one or more of the "WARRIOR" marks.

31. By the continuous and substantial advertising, use, promotion of the "WARRIOR" marks to date, Warrior has acquired tremendous value, name recognition and goodwill in its "WARRIOR" marks.

**DEFENDANTS' UNLAWFUL CONDUCT**

32. The Defendant Warrior Wear has recently begun using the names "Warrior Wear" and "Warrior" in interstate commerce in connection with the marketing, promotion, and sale of clothing, including tee shirts, shorts, pants, hats, and other related items.

33. The Defendant Welter has also recently begun using the names "Warrior Wear" and "Warrior" in interstate commerce in connection with the marketing, promotion, and sale of clothing, including tee shirts, shorts, pants, hats, and other related items.

34. The Defendant Fightshop has also recently begun using the names "Warrior Wear" and "Warrior" in interstate commerce in connection with the marketing, promotion, and sale of clothing, including tee shirts, shorts, pants, hats, and other related items.

35. The clothing advertised and sold by the Defendants under the names "Warrior Wear" and "Warrior" is the same as that sold by Warrior under the "WARRIOR" marks.

36. The Defendants utilize the names "Warrior Wear" and "Warrior" prominently on the clothing.

37. The Defendants utilize the name "Warrior Wear" and "Warrior" prominently on their respective web sites.

38. The Defendants also utilize the name "Warrior" in the same or virtually the same distinctive font as utilized by Warrior in connection with at least some of the "WARRIOR" marks. (Exemplary use attached as Exhibit M.)

39. The Defendants advertise, promote and market their clothing under the names "Warrior Wear" and "Warrior" through the same channels of trade and distribution as Warrior's goods and services under the "WARRIOR" marks.

**COUNT I**  
**Federal Trademark Infringement (15 USC §1114)**

40. Warrior repeats and realleges the allegations of Paragraphs 1 through 39, as though set forth fully herein.

41. The Defendants use of the names "Warrior Wear" and "Warrior" is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection or association of Warrior with the Defendants, or as to the origin, sponsorship, or approval of Defendants' goods by Warrior.

42. The Defendants use of the names "Warrior Wear" and "Warrior", as described above, constitutes trademark infringement in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

43. Upon information and belief, the Defendants aforesaid acts are intentional, deliberate, wanton, and willful.

44. The Defendants aforesaid acts are causing irreparable harm to Warrior and will continue to irreparably damage Warrior unless enjoined by this Court. Accordingly, Warrior is without an adequate remedy at law and is entitled to preliminary and permanent injunctive relief.

45. WHEREFORE, Warrior requests the relief set forth below.

**COUNT II**  
**Unfair Competition (15 USC § 1125(a))**

46. Warrior repeats and realleges the allegations of Paragraphs 1 through 45, as though fully set forth herein.

47. The aforesaid acts of the Defendants constitute unfair competition and false representation or false designation of origin which are likely to cause confusion, to cause mistake, or to deceive in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

48. The aforesaid acts of the Defendants are intentional, deliberate, wanton, and willful.

49. The Defendants aforesaid acts are causing irreparable harm to Warrior and will continue to irreparably damage Warrior unless enjoined by the Court. Accordingly, Warrior is without an adequate remedy at law and is entitled to preliminary and permanent injunctive relief.

50. WHEREFORE, Plaintiff requests the relief set forth below.



**COUNT III**  
**Common Law Unfair Competition**

51. Warrior repeats and realleges the allegations of Paragraphs 1 through 50, as though fully set forth herein.

52. The Defendants' actions in advertising, marketing and providing goods under names confusingly similar to the "WARRIOR" marks constitutes trademark infringement and unfair competition under the common law of the State of Michigan.

53. Upon information and belief, the Defendants adopted the "Warrior Wear" and "Warrior" names willfully, or with reckless intention of trading upon the goodwill of Warrior and/or with the intent of confusing purchasers into believing that the Defendants' goods were approved, authorized by, or related to Warrior.

54. The Defendants' aforesaid acts are intentional, deliberate, wanton, and willful.

55. The Defendants' aforesaid acts are causing irreparable harm to Warrior and will continue to damage Warrior unless enjoined by this Court. Accordingly, Warrior is without an adequate remedy at law and is entitled to preliminary and permanent injunctive relief.

**COUNT IV**  
**Dilution (15 U.S.C. § 1125(c))**

56. Warrior repeats and realleges the allegations of Paragraph 1 through 55, as though fully set forth herein.

57. The “WARRIOR” marks are distinctive and famous within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

58. Defendants’ acts are likely to dilute and, based on Warrior’s information and belief had diluted, the “WARRIOR” marks.

59. Defendants have acted as described in this Complaint with the intent to cause dilution, entitling Warrior to an award of damages.

60. Warrior has been damaged and suffered economic harm as a result of Defendants’ acts, and Warrior is likely to continue to be damaged and suffer economic harm unless Defendants’ activities are enjoined by this Court.

61. WHEREFORE, Warrior requests the relief set forth below.

**PRAYER FOR RELIEF**

WHEREFORE, Warrior Sports, Inc. ("Warrior") prays:

1. That this Court issue a preliminary and permanent injunction prohibiting the Defendants its officers, agents, servants, employees, and attorneys and all persons in active concert or participation with them from:

a) using the names "Warrior Wear", "Warrior" or any other designation that is confusingly similar to the "WARRIOR" marks, on or in connection with the distribution, sale, offering for sale, advertisement, or promotion of any goods that are likely to cause confusion, or to cause mistake, or to deceive, with respect to Warrior's trademark rights;

b) unfairly competing with Warrior in violation of the Lanham Act; and

c) otherwise representing that any goods sold by the Defendants are sponsored, approved, or authorized by or originate from Warrior, or from otherwise taking any action likely to cause confusion, mistake, or deception as to the origin, approval, sponsorship, or authorization of such goods and services.

2. That Warrior be awarded all profits received by the Defendants by reason of its infringing conduct and all damages sustained by them due to the actions of the Defendants complained of herein.

3. That the damages assessed against the Defendants be trebled pursuant to 15 U.S.C. § 1117 and that reasonable attorney fees be awarded to Warrior under that same statute.

4. That, pursuant to 15 U.S.C. § 1116, the Defendants be directed to file with the Court and serve on Warrior within thirty (30) days after issuance of an injunction, a report in

writing and under oath setting forth in detail the manner and form in which the Defendants have compiled with the injunction.

5. That Warrior be awarded compensatory, exemplary and other damages to which it may be entitled.

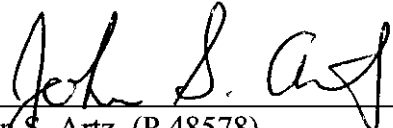
6. That Warrior have such other and further relief as the Court deems just.

**JURY DEMAND**

Plaintiff demands a trial by jury on those issues so triable.

DICKINSON WRIGHT PLLC

By:

  
\_\_\_\_\_  
John S. Artz (P 48578)  
John P. Seurneck (P 54146)  
Attorneys for Plaintiff  
38525 Woodward Avenue, Suite 2000  
Bloomfield Hills, MI 48304-5092  
(248) 433-7200

Dated: October 16, 2007

A

# **Exhibit A**

**Int. Cl.: 28**

**Prior U.S. Cls.: 22, 23, 38 and 50**

**Reg. No. 2,274,667**

**United States Patent and Trademark Office**

**Registered Aug. 31, 1999**

**TRADEMARK  
PRINCIPAL REGISTER**

**WARRIOR**

**WARRIOR LACROSSE, INC. (MICHIGAN CORPORATION)  
1515 AXTELL ROAD  
TROY, MI 48084**

**FOR: LACROSSE STICKS, LACROSSE HANDLES, LACROSSE STICK HEADS, LACROSSE BALLS, AND LACROSSE HELMETS, GLOVES AND PROTECTIVE PADDING FOR PLAYING**

**LACROSSE, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).**

**FIRST USE 12-29-1992; IN COMMERCE 12-29-1992.**

**OWNER OF U.S. REG. NO. 2,213,588.**

**SER. NO. 75-978,120, FILED 10-27-1997.**

**ANIL V. GEORGE, EXAMINING ATTORNEY**

B



# **Exhibit B**



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# WARRIOR

<b>Word Mark</b>	WARRIOR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely tee shirts, sweatshirts, shorts; moisture management garments, namely short sleeve shirts, long sleeve shirts, mock turtlenecks, sleeveless shirts, and shorts; hats and footwear. FIRST USE: 19931100. FIRST USE IN COMMERCE: 19931100
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77123386
<b>Filing Date</b>	March 6, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092
<b>Attorney of Record</b>	John S. Artz
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# WARRIOR

<b>Word Mark</b>	WARRIOR
<b>Goods and Services</b>	IC 028. US 022 023 038 050. G & S: Hockey equipment, namely sticks, handles, blades and helmets; protective equipment for use in the sport of hockey, namely gloves, shoulder pads, elbow pads, arm pads, chest protectors, hip pads, and shin pads; bags for sporting equipment; hockey pucks. FIRST USE: 20051100. FIRST USE IN COMMERCE: 20051100
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77137728
<b>Filing Date</b>	March 22, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092
<b>Attorney of Record</b>	John S. Artz
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# **Exhibit D**



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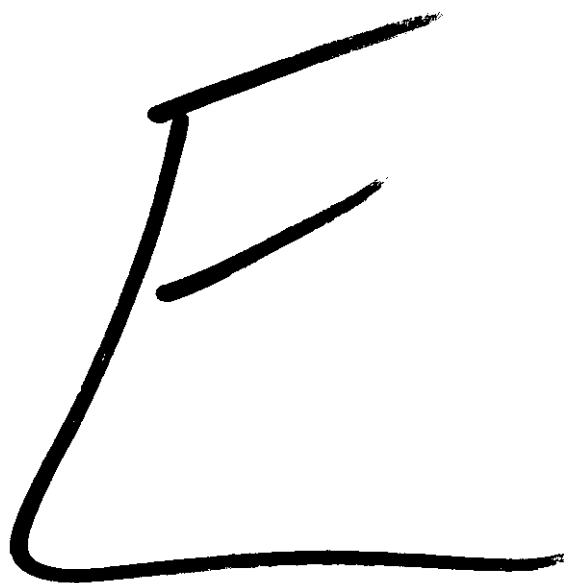
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# WARRIOR

<b>Word Mark</b>	WARRIOR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely t-shirts, sweatshirts, shorts, collared shirts, jerseys, hats and footwear; moisture management garments, namely t-shirts, sweatshirts, shorts, shirts, and jerseys. FIRST USE: 19931101. FIRST USE IN COMMERCE: 19931101
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	78486173
<b>Filing Date</b>	September 20, 2004
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	December 26, 2006
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092
<b>Attorney of Record</b>	John S. Artz
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# WARRIOR

<b>Word Mark</b>	WARRIOR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely t-shirts, sweatshirts, shorts, collared shirts, jerseys, hats and footwear; moisture management garments, namely t-shirts, sweatshirts, shorts, shirts, and jerseys. FIRST USE: 19931101. FIRST USE IN COMMERCE: 19931101
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	78486210
<b>Filing Date</b>	September 20, 2004
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	December 26, 2006
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092
<b>Attorney of Record</b>	John S. Artz
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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**Word Mark** WARRIOR

**Goods and Services** IC 028. US 022 023 038 050. G & S: Hockey equipment, namely sticks, handles, blades, skates, and helmets; protective equipment for use in the sport of hockey, namely gloves, shoulder pads, elbow pads, arm pads, chest protectors, hip pads, and shin pads; bags for sporting equipment. FIRST USE: 20051100. FIRST USE IN COMMERCE: 20051100

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 26.11.21 - Rectangles that are completely or partially shaded

**Serial Number** 77137982

**Filing Date** March 22, 2007

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Owner** (APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092

**Attorney of Record** John S. Artz

**Description of Mark** The mark consists of a stylized version of the word WARRIOR.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# Exhibit G

**Int. Cl.: 41**

**Prior U.S. Cls.: 100, 101 and 107**

**United States Patent and Trademark Office**

**Reg. No. 2,895,312**

**Registered Oct. 19, 2004**

**SERVICE MARK  
PRINCIPAL REGISTER**

**WARRIOR**

WARRIOR LACROSSE, INC. (MICHIGAN COR-  
PORATION)  
6881 CHICAGO ROAD  
WARREN, MI 48092

FIRST USE 6-1-1994; IN COMMERCE 6-1-1994.

SER. NO. 78-225,859, FILED 3-14-2003.

FOR: CONDUCTING LACROSSE CAMPS AND  
CLINICS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

ANDREA SAUNDERS, EXAMINING ATTORNEY

H

# **Exhibit H**

**Int. Cl.: 28**

**Prior U.S. Cls.: 22, 23, 38 and 50**

**Reg. No. 3,282,946**

**United States Patent and Trademark Office**

**Registered Aug. 21, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**

**WARRIOR**

WARRIOR LACROSSE, INC. (MICHIGAN CORPORATION)  
6881 CHICAGO ROAD  
WARREN, MI 48092

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: LACROSSE GOALS, NETS, AND TRAINING AIDS, NAMELY BACKSTOPS, REBOUNDER WALLS, AND SHOOTING TARGETS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

OWNER OF U.S. REG. NO. 2,274,667.

SER. NO. 78-893,926, FILED 5-26-2006.

FIRST USE 8-0-1999; IN COMMERCE 8-0-1999.

LOURDES AYALA, EXAMINING ATTORNEY

I

# **Exhibit I**



United States Patent and Trademark Office  
U.S. Department of Commerce

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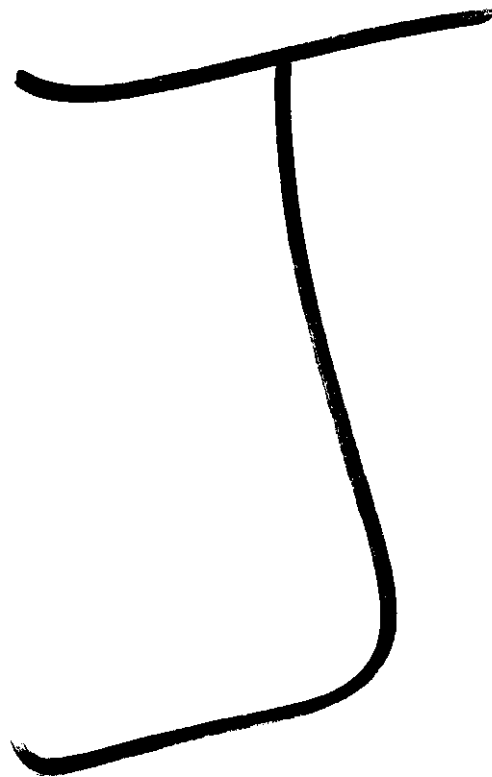
# WARRIOR

<b>Word Mark</b>	WARRIOR
<b>Goods and Services</b>	IC 028. US 022 023 038 050. G & S: ICE HOCKEY EQUIPMENT, NAMELY ICE SKATES
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78644056
<b>Filing Date</b>	June 6, 2005
<b>Current Filing Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	October 17, 2006
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Rd. Warren MICHIGAN 48092
<b>Attorney of Record</b>	John S. Artz
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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A large, handwritten number '5' in black ink, centered on the page. The number is formed by a single stroke that starts at the top left, curves to the right, then down, then left, and finally up to the top right.

# **Exhibit J**



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## Trademarks > Trademark Electronic Search System (TESS)

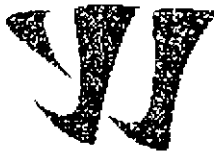
TESS was last updated on Sat Oct 13 04:09:01 EDT 2007

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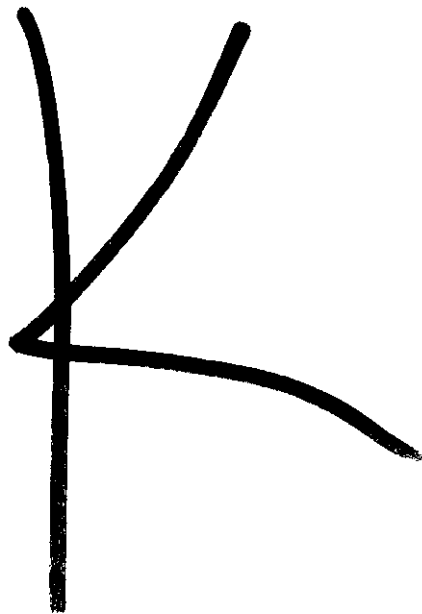
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# WARRIOR

<b>Word Mark</b>	W WARRIOR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely tee shirts, sweatshirts, shorts, collared shirts, jerseys, hats and footwear; moisture management garments, namely tee shirts, sweatshirts, shorts, collared shirts, jerseys, hats and footwear. FIRST USE: 19960601. FIRST USE IN COMMERCE: 19960601
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	78486191
<b>Filing Date</b>	September 20, 2004
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	April 10, 2007
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092
<b>Attorney of Record</b>	John S. Artz
<b>Description of Mark</b>	The mark consists of the stylized mark WARRIOR outlined in black and the stylized W outlined in black.
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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A handwritten mark or signature in black ink, consisting of a vertical line on the left, a horizontal line extending to the right, and two diagonal lines crossing the vertical line from the top.

# **Exhibit K**



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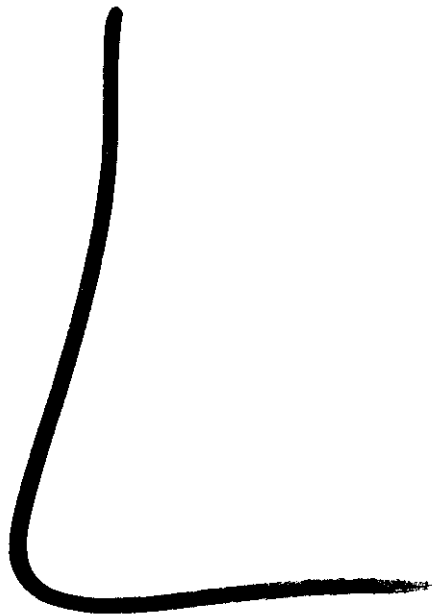


<b>Word Mark</b>	WARRIOR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely tee shirts, sweatshirts, shorts; moisture management garments, namely short sleeve shirts, long sleeve shirts, mock turtlenecks, sleeveless shirts, and shorts; hats and footwear  IC 028. US 022 023 038 050. G & S: Lacrosse heads, lacrosse sticks, lacrosse handles, lacrosse balls, protective sports equipment, namely gloves, shoulder pads, elbow pads for use in the games of lacrosse and/or hockey  IC 009. US 021 023 026 036 038. G & S: Helmets for use in the games of lacrosse and/or hockey
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	78419040
<b>Filing Date</b>	May 14, 2004
<b>Current Filing Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	September 4, 2007
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092
<b>Attorney of Record</b>	John S. Artz
<b>Description of Mark</b>	Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK  
Register PRINCIPAL  
Live/Dead Indicator LIVE

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# **Exhibit L**



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<b>Word Mark</b>	WARRIOR
<b>Goods and Services</b>	IC 025. US 022 039. G & S: Clothing, namely tee shirts, sweatshirts, shorts; moisture management garments, namely short sleeve shirts, long sleeve shirts, mock turtlenecks, sleeveless shirts, and shorts; hats and footwear  IC 028. US 022 023 038 050. G & S: Lacrosse heads, lacrosse sticks, lacrosse handles, lacrosse balls, protective sports equipment, namely gloves, shoulder pads, elbow pads for use in the games of lacrosse and/or hockey  IC 009. US 021 023 026 036 038. G & S: Helmets for use in the games of lacrosse and/or hockey
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	26.11.08 - Rectangles comprised of letters, numerals or punctuation and letters, numerals or punctuation forming the perimeter of a rectangle or bordering the perimeter of a rectangle. 26.11.25 - Rectangles with one or more curved sides 26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)
<b>Serial Number</b>	78419115
<b>Filing Date</b>	May 14, 2004
<b>Current Filing Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	January 16, 2007
<b>Owner</b>	(APPLICANT) Warrior Lacrosse, Inc. CORPORATION MICHIGAN 6881 Chicago Road Warren MICHIGAN 48092